

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

**MATTHEW V. BLACKWELL,** :

**Petitioner** : **CIVIL ACTION NO. 3:23-0062**

**v** : **(JUDGE MANNION)**

**WARDEN SAGE,** :

**Respondent** :

**MEMORANDUM**

**I. Background**

Matthew V. Blackwell, a former inmate confined in the Schuylkill Federal Correctional Institution, Minersville, Pennsylvania, filed the above captioned petition for writ of habeas corpus, pursuant to [28 U.S.C. §2241](#). (Doc. [1](#), petition).

Blackwell challenges the Bureau of Prisons' (BOP) decision to apply time credits under the First Step Act toward home confinement instead of early release. [Id.](#) He also disputes the BOP's decision to stop applying time credits for inmates when they are within 18 months of their release date. [Id.](#) As relief, Blackwell requests he be awarded "all of my First Step Act credits..." [Id.](#)

A review of the Federal Bureau of Prisons Inmate Locator reveals that Blackwell was released from SCI-Schuylkill custody on June 9, 2023. See <https://www.bop.gov/inmateloc/>.

For the reasons set forth below, the instant petition will be dismissed as moot.

## **II. Discussion**

The case or controversy requirement of Article III, §2 of the United States Constitution subsists through all stages of federal judicial proceedings. Parties must continue to have a “personal stake in the outcome of the lawsuit.” Lewis v. Continental Bank Corp., 494 U.S. 472, 477–78 (1990); Preiser v. Newkirk, 422 U.S. 395, 401 (1975). In other words, throughout the course of the action, the aggrieved party must suffer or be threatened with actual injury caused by the defendant. Lewis, 494 U.S. at 477.

The adjudicatory power of a federal court depends upon “the continuing existence of a live and acute controversy.” Steffel v. Thompson, 415 U.S. 452, 459 (1974) (emphasis in original). “The rule in federal cases is that an actual controversy must be extant at all stages of review, not merely at the time the complaint is filed.” Id. at n.10 (citations omitted). “Past exposure to illegal conduct is insufficient to sustain a present case or

controversy ... if unaccompanied by continuing, present adverse effects."

Rosenberg v. Meese, 622 F.Supp. 1451, 1462 (S.D.N.Y. 1985) (citing O'Shea v. Littleton, 414 U.S. 488 (1974)). "[A] petition for habeas corpus relief generally becomes moot when a prisoner is released from custody before the court has addressed the merits of the petition." Lane v. Williams, 455 U.S. 624, 631 (1982).

In the instant case, because Blackwell has been released from custody, his habeas petition has been rendered moot. See Rodriguez-Leon v. Warden, 602 F. App'x 854 (3d Cir. 2015); Scott v. Schuylkill FCI, 298 F. App'x 202 (3d Cir. 2008); Scott v. Holt, 297 F. App'x 154 (3d Cir. 2008).

### III. Conclusion

For the reasons stated above, the petition for a writ of habeas corpus will be **DISMISSED**. An appropriate order will follow.

s/ Malachy E. Mannion  
MALACHY E. MANNION  
United States District Judge

**Date: July 11, 2023**

22-0062-01